

1
2
3
4
5
6
7 **UNITED STATES DISTRICT COURT**
8 **EASTERN DISTRICT OF WASHINGTON**

9
10 **UNITED STATES OF AMERICA,**
11 **Plaintiff,**
12 **v.**
13 **OMAR LIZARRAGA-CEDANO,**
14 **Defendant.**
15

CR-04-15-FVS

**ORDER DENYING MOTION TO
VACATE**

16 **THE DEFENDANT** having previously sought relief pursuant to 28 U.S.C. §
17
18 2255; the Court having denied separate § 2255 motions on August 9, 2007, and
19 August 23, 2010; the instant motion to vacate therefore being a successive § 2255
20 motion; and it being clearly established the defendant must obtain permission from
21 the Ninth Circuit before again seeking relief pursuant to § 2255; Now, therefore

22
23 **IT IS HEREBY ORDERED:**
24

25 1. The Defendant's motion to vacate (**ECF No. 280**) is denied because he has
26 not obtained permission from the Ninth Circuit to file a successive § 2255 motion.
27

1 2. The defendant may not file a motion for reconsideration.

2 3. The Court will not issue a certificate of appealability.

3 **IT IS SO ORDERED.** The District Court Executive is hereby directed to file
4 this Order and furnish copies to the defendant and to counsel for the plaintiff.
5

6 **DATED** this 19th day of July, 2016.

7
8 s/Fred Van Sickle
9 FRED VAN SICKLE
10 Senior United States District Judge
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27